

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY

Plaintiff,

v.

MICROSOFT CORPORATION, OPENAI, INC.,  
OPENAI LP, OPENAI GP, LLC, OPENAI, LLC,  
OPENAI OPCO LLC, OPENAI GLOBAL LLC,  
OAI CORPORATION, LLC, and OPENAI  
HOLDINGS, LLC,

Defendants.

Case No. 1:23-cv-11195-SHS-OTW

**The New York Times Company’s Motion for Leave to File Under Seal**

Under Section IV of this Court’s Individual Practices in Civil Cases, Plaintiff, The New York Times Company (“The Times”), respectfully seeks to provisionally file under seal a portion of its letter motion to compel, as well as the attached exhibits. The letter motion seeks a conference to discuss a discovery dispute—specifically, Microsoft’s designation of over 98.5% of its document production as “Highly Confidential – Attorneys’ Eyes Only.” The Times seeks to file portions of this letter motion under seal because the motion discusses documents that Microsoft designated as Protected Discovery Material under the Protective Order. Dkt. 127 ¶ 22. The letter motion also attaches copies of these documents as exhibits. The Times does not affirmatively seek to seal any portion of this letter motion, nor any portion of any exhibit. Under the Protective Order, Defendants have five business days to file a statement of reasons for why the material should be sealed. *Id.* The Times will review Defendants’ filings, and if necessary, confer about any disagreement.

Dated: August 20, 2024

Respectfully Submitted,

/s/ Ian Crosby

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